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Notice of Allowability	Application No.	Applicant(s)	
	10/681,574	MILLER ET AL.	
	Examiner	Art Unit	
	Hoa V. Le	1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05 December 2005.
2. ☒ The allowed claim(s) is/are 1-26,28-33,35,36 and 72.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 26 August 2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

**HOA VAN LE
PRIMARY EXAMINER**

This is in response to Paper filed on 05 December 2006.

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

AMENDMENT: Claims 37-71 of the non-elected invention without traverse in Paper filed on 19 January 2005 has been canceled to put the instant application in a condition for an allowance.

II. The elected invention of claims 1-26, 28-33, 35-36 and 72 are related to a single combined unit or kit of two individuals containers containing an aqueous developer and an aqueous regenerator separately. They have been considered and searched.

III. The following is an examiner's statement of reasons for allowance:

A. The record show that:

“(1) It is fine and understandable to change from “weak” to ---first--- on page 9, lines 25-29 of the specification.

(2) It is also fine and understandable to change from “strong” to second” on page 9, lines 18-20 of the specification.

(3) There is new matter with respect to “third” in claims 27-32”.

Although, the specification and some claim have been allowed to change from “weak” to ---first--- and “strong” to ---second--- for the conveniently numeral or first and second classes identification only. Other interpretation would be new matter. Please see *Tronzo v. Biomet Inc.*, 4 USPQ2d 1403.

Applicants is requested change “weak” to “first” in the newly amended claims 28-32 as that allowed in claim 1 for a unify understanding and reading and avoiding any confusion.

B. Applicants amendments and arguments are found to be convincing that the applied references and the references on the record are not related to a single combined unit, kit, pack or bundle of two individuals containers with an aqueous developer containing an organic solvent, a dispersion and a weak (conveniently allowed to identify as ---first---) base and having a pH of 8-13 and an aqueous regenerator containing an organic solvent, a dispersing agent and an effective amount of a strong (conveniently allowed to identify as ---second---) base to obtain a pH of at least 0.5 higher than that of the developer and wherein the Kb of strong base is greater than that of the weak base.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

IV. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa V. Le whose telephone number is 571-272-1332. The examiner can normally be reached from 6:30 AM to 4:30 PM on Monday through Thursday and about the same time of most Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526.

Applicants may file a paper by (1) fax with a central facsimile receiving number 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Hoa V. Le
Primary Examiner
Art Unit 1752

HVL
18 January 2006.

HOA VAN LE
PRIMARY EXAMINER
Hoa Van Le